

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, AUGUST 6, 2002

Chair Mathewson called the meeting to order at 7:00 p.m. at the Twin Pines Senior and Community Center.

**ROLL CALL:**

Present, Commissioners: Mathewson, Wiecha, Parsons, Gibson, Feierbach, Frautschi  
Absent, Commissioners: Torre (arrived at 7:04 p.m.)

Present, Staff: Community Development Director Ewing (CDD), Principal Planner de Melo (PP), Associate Planner Swan (AP), City Attorney Savaree (CA), Recording Secretary Flores (RS)

**STUDY SESSION:**

**STUDY SESSION - 1301 Ralston Avenue - Study Session to view story poles for a proposed 155,968 square-foot four-story Congregate Care Facility building adjacent to the Ralston Village Dementia Care Facility. A formal application for the project was filed on May 17, 2002. The study session is designed for discussion and feedback in reference to the story poles only; no decisions will be made. (Appl. No. 02-0017); APN: 040-170-010; 045-190-030 & 040; Zoned: PD (Planned Development); Bradford Leibman (Applicant); Donald Kuemmeler (Owner)**

Continued to 6:00 p.m. August 20, 2002, at the project site.

**AGENDA AMENDMENTS: None**

**COMMUNITY FORUM (Public Comments): None**

**CONSENT CALENDAR:**

**Minutes of July 2, 2002**

**MOTION: By C Parsons, seconded by VC Wiecha, to approve the minutes of July 2, 2002. Motion passed 6/0/1, with C Torre absent.**

C Torre arrived at 7:04 p.m.

**PUBLIC HEARINGS:**

**PUBLIC HEARING - 2821 Newlands Avenue: To consider a Single-Family Design Review to demolish an existing single-story residence to build a two-story residence and relocate an existing detached garage; (Appl. No. PA2002-0012); APN: 043-272-040 Zoned: R1-B (Single-Family Residential); CEQA Status: Exempt; Robert Swanson (Applicant); Mr. and Mrs. Cavanaugh (Owners)**

AP Swan summarized the staff report, recommending approval. She noted that the square footage for the project is changed to 3,487 square feet in order to include the detached garage.

Responding to Chair Mathewson's question regarding the lack of a landscape plan, AP Swan explained that the single-family design review does not require a landscape plan, but that it could be a condition for follow-up.

Robert Swanson, project architect, presented a preliminary landscape plan to the Commission that shows the intent of removing paving, and noted that the owner has already consulted a landscape professional.

CDD Ewing noted that, since the applicant is offering a landscape plan as part of the project, it can be treated as a part of the project definition.

Responding to C Frautschi's questions, Mr. Swanson stated that it was cost effective to move the garage rather than tear it down, and that it is not a storage garage as it is only large enough for two cars.

Chair Mathewson opened the Public Hearing. No one came forward to speak.

**MOTION: By C Parsons, seconded by C Frautschi, to close the public hearing. Motion passed.**

VC Wiecha questioned the plan for a 10' rather than a 12'-wide driveway, as required by City ordinance. C Parsons noted that a 12' driveway would probably require the removal of some trees. There was consensus that the 10' driveway would be preferred by the Commission in order to protect the trees. After discussion, CDD Ewing agreed that, if the project is approved, staff will determine how the driveway standard must be handled in light of the non-conforming use provisions, and will convey that conclusion to the applicant for a decision on how to proceed.

VC Wiecha informed the applicant that she believes the area within the public right-of-way in front of the house can be landscaped beyond the property line without obtaining an encroachment permit.

**MOTION: By VC Wiecha, seconded by C Parsons, to adopt the Resolution approving the single-family design review and demolition permit for 2821 Newlands Avenue, with the findings and conditions in the staff report and the addition of a landscape plan to be coordinated with staff.**

**Ayes: Wiecha, Parsons, Frautschi, Feierbach, Gibson, Torre, Mathewson**

**Noes: None**

**Motion Passed 7/0**

Chair Mathewson noted that the item may be appealed to the City Council within ten days.

## **STUDY SESSION:**

### **Discussion of City Council Fall 2002 Priority Calendar**

Dan Rich, Assistant City Manager, summarized the staff report and answered questions from the Commission about the process. He concluded that this meeting was an opportunity for the Commission to brainstorm and dialogue among themselves to give direction to staff on new issues that they would like the Council to consider ranking. Staff will then write up brief descriptions and bring them back to the next meeting, at which time the Commission will have the opportunity to look at the totality of the list, remove those that they feel are no longer priorities and rank those that remain. .

Commissioners' items for the list and comments included the following:

C Feierbach:

Block 4 redevelopment.

Overall review of downtown development, including downtown plans. Need to look at redevelopment of El Camino and adjacent streets.

Redevelopment strategy for "pink building" site. Suggestions have been commercial, technological/art museum. She suggested that instead of the City spending \$1.25 million on the park, some money could be realized by putting something viable on the site.

Design review process to include landscape plans.

Redefine how building height is measured on hillsides.

Strengthen tree ordinance.

Sign ordinance for downtown with code enforcement. Compared Belmont to Burlingame signage - Burlingame has fewer signs on buildings and not a lot of illegal signs.

Encroachment permits as part of the Planning Commission review.

Grading ordinance revisions.

Mitigation monitoring.

Addition of an Economic Development person to staff who could seek interesting, viable businesses for Belmont.

Mailing lists for renters.

C Gibson:

Similar to C Feierbach's.

Real problem is downtown, or the "central core" of the City.

entry plaza is growing weeds

Caltrain lot is half empty

store vacancies (doctor's building, Lemon Tree, travel agency, store next to Walgreen's, florist is struggling, Ross Lighting in limbo, building between El Camino and tracks south of Harbor moving slowly)

number of "marginal" businesses occupying spaces (i.e. nail shops).

things could get worse in view of declining economy - economy is not going to wait for three years for General Plan to be completed.

Differs with C Feierbach on the sign ordinance – feels that is a symptom, not a root problem.

Feels that the root problem is the fact that Belmont's downtown is at the intersection of two arterial streets and arterial streets are not conducive to shopping areas. Problem is geographical – Belmont does not have a street like Laurel or Burlingame Avenue.

Wants to see grading ordinance and design review problems fixed but does not feel they are at the same priority level as other issues.

"Moribund" projects such as one in his neighborhood and Ross Lighting. Suggested that, as an incentive to complete a project, there be a monthly fee associated with on-going projects that would serve the purpose of compensating the community for the disruption, blight, dirt, and noise that goes with construction.

C Frautschi:

Re-emphasized what C Feierbach said about needing an Economic Development official. Until the City gets viable businesses there will not be enough money to pave the street and provide the other services and parks that people want.

Would like to see some community effort to do massive tree plantings throughout the City. He noted that every single tree in the Presidio was planted by kids on Arbor Day.

70% of the people who responded to the recent City survey felt that one of the major problems are the condition of the streets. Need business to pay taxes so that streets can be repaired.

Would like to see Council come up with strategy for partnership with Oracle for assistance with tree planting and Baby Bullet. Citizens' concerns need to be conveyed to Oracle executives because a lot of problems with streets are due to people cutting through the neighborhoods and over-using them.

C Parsons:

Incorporate some sort of landscape review in the design review process – could tie clarification of the tree ordinance to that.

Biggest concern is the downtown. Put some other uses in Caltrain's plaza park and get somebody to come in who would build the park part of it.

Emphasis needs to be put on downtown plan – El Camino, 6<sup>th</sup> Avenue, Old County Road corridors. Amenities there would attract people, and this would improve chance to get Baby Bullet.

Look at feasibility of condemnation plans and lot mergers on El Camino. Small buildings cannot satisfy current parking requirements on the lots, and the lots are not big enough to be economically feasible.

VC Wiecha:

Agrees that downtown needs to be focus – feels it is probably not a realistic expectation to get the Baby Bullet given the current ridership at the Belmont station, and the way to increase that is to have development along the Ralston and El Camino corridors.

Supports discussions regarding condemnation and lot mergers.

Design review ordinance is important.

Grading ordinance is not one of her primary focuses at this point given the magnitude of other issues.

Managing the commitments made in mitigated negative decs is a legal issue – we have to make sure that the mitigations happen. Would place this as a third priority in general terms.

C Torre:

Would like to see view preservation and privacy issues developed as subtopics of the General Plan update.

Supports the general theme that intelligent "big picture" look at the downtown is in order, including C Parsons' point about needing to have sizes of lots that are economically viable.

Regarding rules for hillside development related to density and the amount of square footage allowed, feels that it is important to allow density transfers to be made on larger pieces than just a block or two of the roadway.

Regarding managing commitments in the neg dec process and enforcement of conditions, she thinks creative thinking is needed to find ways to get better enforcement without putting more burden on City staff. She's worked on projects where affidavits had to be filed by licensed professional engineers or licensed tree people saying that the work was done in conformance with the conditions.

C Feierbach:

Wanted to look at the sliding scale vs. the absolute 900 square feet for the minimum house size.

Look at the negative effects of transferring floor area from an outside neighborhood in the San Juan Canyon to a neighborhood – may disagree with C Torre on this topic.

Would like consideration of a web page of computer simulation for re-planning the downtown area that had been referred to her by CDD Ewing,

Obtain input from teachers, police and fire personnel, and City staff as part of the plan for the kind of housing they would want, rather than building something and then asking them to buy.

C Parsons:

As part of the downtown issue and as C Feierbach said, to make a viable downtown we have to have housing, and this might tie into the low- to moderate-income housing that might go along some of the corridors parallel to the railroad tracks. Larger lots would help facilitate that.

Responding to C Frautschi's comment, suggested offering up naming rights to the train station and the plaza to generate income to get the plaza developed.

Chair Mathewson:

Grading ordinance and retaining walls – need mechanism to revisit entitlements if these items are built substantially differently than they were approved. Perhaps could be tied in with mitigation monitoring.

Would like to see resolution to variance vs. exception argument.

All previously discussed design review items.

Focus has been on downtown. Need to revisit downtown plans as perhaps a downtown master plan to tie them all together.

Creek maintenance and easements have been an important consideration.

Commercial Zoning needs to be reviewed.

CDD Ewing stated that he had noted 45-46 items, many of which overlap and many that will be consolidated by staff so that the Commission can sort it out and prioritize.

Assistant City Manager Rich suggested that CDD Ewing be given editorial license to do some combining but that everything gets on the list and should stay there. He said they could have a "formally dropped but duly noted" list so that the items could be kept on the record and reviewed the next time around.

CDD Ewing commented that many of the items on the list are big policy questions, such as downtown and finishing up the hillside floor area and density transfer questions, and some are tools. Hiring an Economic Development Manager and land assembly are tools to advance some end. Developing an economic development strategy might be the program out of which comes the need for a manager to do certain things to fulfill the desired strategy. When preparing the list for the next meeting, he will try to sort out what are policy questions and what are tools and make sure the tools get captured, but they may not be at the same level of priority as the underlying policy project.

## **OLD BUSINESS:**

### **Comprehensive Tree Inspection for the Sunrise Assisted Living Facility at the Immaculate Heart of Mary site.**

AP Swan summarized the staff report, noting that the item is a follow up to the Commission's request that the conditions of approval be verified and that the mitigation monitoring steps are being followed. Staff's supplemental report summarized the results of the City Arborist's inspection of July 10, 2002, indicating that items 4, 5, 6 and 14 were non-compliant with the approved conditions of approval. The listed deficiencies for 4, 5 and 6 exceed the adopted conditions for approval and would constitute an inappropriate addition of conditions of approval, but item 14, irrigation trenching, can be pursued.

Discussion followed, with Commissioners expressing concerns about the contractor's compliance with the conditions of approval, and the ability to mitigate for non-compliance. CDD Ewing stated his concern about trying to modify utility plans that the arborist did not see in the middle of the game. He agreed that staff needs to make sure that there are some measures taken to help the tree recover from the 11' trenching that should have been 15' away. Staff is trying to put together a program to monitor tree mitigations during and after construction, and that is part of what has been going on with this project. It is an evolutionary process that must be carried out within the rules that have been established. He added that completion bonds for large projects are not released until all requirements of landscape plans are met.

Dan Zemanek with Sunrise Assisted Living, addressed the Commission, stating that Sunrise will be here as a neighbor for a long time and they have a vested interest in every tree on the site. Regarding item 14 of the arborist's report, he stated that he had spoken with Linda Gates, landscape architect for the project, who stated that they had tried to get a radial pattern for the irrigation but that the irrigation is within 4' of a paved parking lot and it could not be done underneath the asphalt. They do not believe they have damaged the trees or put them in a critical situation. Referring to item E on the last page of the arborist's report regarding the bridge, Mr. Zemanek stated that either Bob Adams or Walt Fuji were there when the bridge was going in, and had elected to move the bridge further east so as not to impact the large oak tree and by so doing saved a bay tree. He stressed that they want to save the trees.

CDD Ewing stated that no action is required on this item and staff will continue to follow up on the recommendation of the arborist and follow through on the mitigation monitoring.

## **REPORTS, STUDIES, UPDATES AND COMMENTS**

CDD Ewing stated that Friday will be the "ground truthing" day and staff from the Bay Area Council met with him to show him the work that they are going to do. By way of background, he explained that there has been a regional land use planning effort underway for a couple of years, to look at where 20 years of projected population growth might be distributed around the Bay. The option that generated the most support was to focus on existing transit centers and downtowns for the majority of future growth. The plan is being tested by the Bay Area Council group by going to fourteen individual sites around the Bay Area to find out if the reality of their town centers can support the growth that they're talking about. Belmont is the only site in San Mateo County that they will focus on because it was small enough and had undertaken a tremendous amount of urban development. They are going to look at Old County Road between Ralston and O'Neil, Block 4 and a little bit north on El Camino, and Ralston between Old County Road and Hiller. They will start at 9:00 a.m. in Room 101 on the 1<sup>st</sup> floor of City Hall and should be finished by noon. All homeowners associations have been invited to send representatives, as well as the Chamber of Commerce. The Council will recommend to the ABAG study group on the regional plan whether they think these fourteen sites add up to what this plan proposed. We will get a copy of the report they prepare on Belmont.

Chair Mathewson reported that on the pervious Saturday C Frautschi, CDD Ewing and he went on a Greenbelt Alliance mini tour of downtown Redwood City, and visited some new projects there and saw some sites that they believe to be creative development that is going to make better use of transit.

PP de Melo reminded the Commission that the September 3<sup>rd</sup> meeting has been cancelled.

CDD Ewing stated that a date has not yet been set for the tour, and that he will be on vacation the two weeks in the middle of September.

C Parsons reported that he recently had some dealings with the City of San Carlos Planning Department, and that Belmont's staff can pat themselves on the back for having set up the one-stop shot permit center with friendly people to greet clients.

C Parsons mentioned that in the last couple of weeks he had actually stopped people from cutting protected trees without permits. He suggested that the City should make an effort to notify all the tree companies that do business in the Bay Area about the City's requirements.

C Frautschi asked CDD Ewing to contact Sister Dolores at Notre Dame Elementary School regarding the large Acacia tree that has fallen on their fence and needs to be removed before school starts.

**ADJOURNMENT:**

The meeting adjourned at 8:55 p.m. to a Study Session at 6:00 p.m. on August 20, 2002, at 1301 Ralston Avenue, to be followed by the regular meeting at 7:00 p.m. at Twin Pines Senior and Community Center.

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Craig A. Ewing, AICP  
Planning Commission Secretary

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*in the Community Development Department*

*Please call (650) 595-7416 to schedule an appointment.*